

**Remarks/Arguments:**

Applicant and his representatives acknowledge, with thanks, the courtesy of the Examiner and the Examiner's Supervisor for granting a telephone interview on November 20, 2008.

Claims 1-7 are pending in the above-identified application. Claims 1 and 7 have been amended. Accordingly, claims 1-7 are presented for reconsideration.

Claims 1-7 were rejected under 35 U.S.C. § 102 (b) as being anticipated by Funahashi et al. Claim 1 is amended to recite features neither disclosed nor suggested by the prior art, namely:

... wherein a suspension holder extending downward from a middle portion between an inner periphery and an outer periphery on a rear surface of the diaphragm is integrated with the diaphragm, **an entire surface of an end face of the suspension holder is attached to the diaphragm** ... (Emphasis added).

During the interview, the Examiner indicated that the amendment to claim 1 appeared to overcome the rejection, but required further consideration. Accordingly, the amendment is being filed so that it can be considered. Withdrawal of the rejection to claim 1 is respectfully requested.

Claims 2-5 depend from claim 1. Accordingly, claims 2-5 are likewise allowable over the art of record for at least the reasons set forth above with respect to claim 1. Withdrawal of the rejection to claims 2-5 are respectfully requested.

Claim 6, while not identical to claim 1, includes features similar to those set forth above with regard to claim 1. Thus, claim 6 is also allowable over the art of record for at least reasons set forth above with regard to claim 1. Withdrawal of the rejection to claim 6 is respectfully requested.

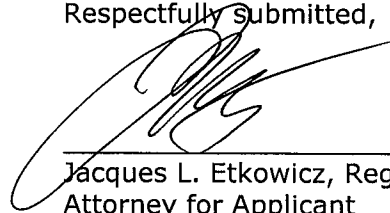
Claim 7 depends from claim 6. Accordingly, claim 7 is likewise allowable over the art of record for at least the reasons set forth above with respect to claim 6. Withdrawal of the rejection to claim 7 is respectfully requested.

Application No.: 10/549,771  
Amendment Dated January 12, 2009  
Reply to Office Action of October 23, 2008

MAT-8742US

In view of the amendments and arguments set forth above, Applicants submit the above-identified application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'J. Etkowicz', is written over a horizontal line.

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JLE/dmw

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